

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

State of Minnesota by its Attorney
General, Keith Ellison,

Plaintiff,

v.

Fleet Farm LLC, Fleet Farm Group
LLC, and Fleet Farm Wholesale
Supply Co. LLC,

Defendants.

Case No.: 0:22-cv-02694-JRT-JFD

**JOINT STIPULATION REGARDING
CERTAIN AFFIRMATIVE
DEFENSES**

WHEREAS, the dispositive motion deadline in this case is April 4, 2025; and

WHEREAS, the State of Minnesota has indicated it intends to move for summary judgment on some of Fleet Farm's affirmative defenses; and

WHEREAS, the parties have met and conferred regarding this issue, and agree that certain of Fleet Farm's affirmative defenses may be stricken;

THEREFORE, the parties, through the undersigned counsel, HEREBY STIPULATE AND AGREE to the following:

1. Fleet Farm's Fifth, Seventh, Eighth, and Tenth Affirmative Defenses may be dismissed.

2. Fleet Farm's Fifteenth Affirmative Defense may be dismissed, subject to Fleet Farm's right to raise this defense if an intervening change in law occurs during the pendency of this matter. *E.g., Golan v. FreeEats.com, Inc.*, 930 F.3d 950, 957 (8th Cir. 2019); *Valspar Corp. v. PPG Indus., Inc.*, 2017 WL 3382063, at *2 (D. Minn. Aug. 4, 2017).

Dated: April 3, 2025

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/s/ Katherine Moerke (with permission)

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Respectfully submitted,

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